

Remarks

THE AMENDMENTS

Applicants have canceled claims 3 without prejudice and without waiver of their right to file for and obtain claims directed to any non-elected subject matter in divisional and continuing applications which claim priority from this application.

Applicants have amended claims 7, 12, 16, 18, 20-23 to improve their form and to recite proper claim dependencies.

Following entry of the above amendment, claims 1-2, 4-5, 7 and 11-12 are pending, claims 16-24 are withdrawn and claims 3, 6, 8-10, 13-15 and 25-27 are canceled.

None of the above amendments adds new matter.

THE RESTRICTION REQUIREMENT

Applicants maintain their traversal of the restriction requirement. Upon allowance of the Group VIII compounds, applicants will request rejoinder of the Group XI and XII process claims (claims 18-24) commensurate in scope with the allowed product claims. See MPEP § 821.04.

THE REJECTION

35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 1-5, 7, 11 and 12 under 35 U.S.C. § 112, second paragraph as being indefinite. The Examiner contends that the language of claims 1 and 5 defines a "Het" group related to variable "A" but that the elected subject matter of Group VIII does not contain a "Het" group. Applicants traverse.

Applicants respectfully submit that the definition of variable "A" in claims 1 and 5 does not include "Het." Variable "A" as defined in the instant claims is selected from the group consisting of -R<sup>1</sup>-C<sub>1</sub>-C<sub>6</sub> alkyl, which may be optionally substituted with one or more groups selected from the group consisting of hydroxy, C<sub>1</sub>-C<sub>4</sub> alkoxy, -NR<sup>2</sup>-CO-N(R<sup>2</sup>)(R<sup>2</sup>) and -CO-N(R<sup>2</sup>)(R<sup>2</sup>). As such, the only additional variables included in the definition of "A" are "R<sup>1</sup>" and "R<sup>2</sup>," neither one of which is further defined by "Het." Accordingly, applicants request that the Examiner withdraw the rejection.

CONCLUSION

In view of the foregoing remarks and amendments, applicants request that the Examiner favorably reconsider this application and allow the amended claims pending therein. Should the Examiner feel that a telephone conference with applicants' representatives would assist the Examiner, she is invited to telephone the undersigned at any time.

Appl'n No. 10/786,997  
Amendment and Reply dated 6/20/06  
Reply to Office Action of 12/20/05

Respectfully submitted,



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James F. Haley, Jr. (Reg. No. 27,794)  
Karen Mangasarian (Reg. No. 43,772)  
Attorneys for Applicants

FISH & NEAVE LLP  
Customer No. 1473  
1251 Avenue of the Americas  
New York, New York 10020-1105  
Tel.: (212) 596-9000  
Fax: (212) 596-9090